

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRE ANTHONY LEWIS,

Defendant.

CASE NO. CR06-360C

ORDER

This matter comes before the Court on the joint motion of the United States of America and Defendant Andre Anthony Lewis to continue the trial date (Dkt. No. 20).

The current pretrial motions cut-off date was November 9, 2006, and the current trial date is December 11, 2006. Defendant Lewis has joined in the requested continuance, and the Government agrees that a continuance is necessary to allow Defendants to complete discovery and prepare for trial. Accordingly, Defendant Lewis has waived speedy trial rights through January 30, 2007 (Dkt. No. 21).

Given the complex nature of this case, the Court finds that a denial of the requested extensions would unreasonably deny Defendants adequate preparation by their attorneys and would deny counsel reasonable time to prepare. Due to these factors, exclusion of additional time under 18 U.S.C. § 3161(h)(8)(B)(iv) is appropriate.

1 The proposed continuance of the trial does not appear to prejudice any party. The Court finds
2 that failure to grant the requested continuance likely would result in a miscarriage of justice. The Court
3 further finds that the interests of the public and the Defendants in a speedy trial are outweighed by the
4 ends of justices, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

5 Accordingly, IT IS HEREBY ORDERED that the pre-trial motions cut-off date shall be extended
6 until December 7, 2006, with a new trial date of January 22, 2007. Voir dire, Trial Briefs, and Jury
7 Instructions shall be due by January 18, 2007. The time between December 11, 2006 and the new trial
8 date shall be excludable time under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and
9 3161(h)(8)(B)(iv).

10 SO ORDERED this 27th day of November, 2006.

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14 John C. Coughenour
15 United States District Judge
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